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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,391	11/30/2001	Saiprasad V. Naimpally	MATP-617US	5564
23122	7590	05/11/2006	EXAMINER	
RATNERPRESTIA P O BOX 980 VALLEY FORGE, PA 19482-0980			WOZNIAK, JAMES S	
			ART UNIT	PAPER NUMBER
			2626	

DATE MAILED: 05/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/997,391

Applicant(s)

NAIMPALLY ET AL.

Examiner

James S. Wozniak

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 9-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-14 and 23 is/are allowed.
- 6) ☒ Claim(s) 1,2,5,6,9,10,15,16 and 20-22 is/are rejected.
- 7) ☒ Claim(s) 3,4,17-19 and 24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. In response to the office action from 12/6/2005, the applicant has submitted an amendment, filed 3/6/2006, amending claims 1-4, 9, and 11-15, while arguing to traverse the art rejection based on the amended limitations (*Amendment, pages 9-16*). The applicant's arguments have been fully considered but are moot with respect to the new grounds of rejection, necessitated by the amended claims and in view of Guedalia (*U.S. Patent: 6,707,891*).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1, 2, 6, and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Kommer (*U.S. Patent: 6,678,659*) in view of Guedalia (*U.S. Patent: 6,707,891*).

With respect to **Claims 1 and 15**, Van Kommer respectively discloses a method and system for:

(a) Storing text files in a database at the remote location (Col. 3, Lines 54-64);

- (b) Converting, at the remote location, the text files stored in step (a) into speech files and storing the converted speech files (*Col. 4, Line 42- Col. 5, Line 10; and Col. 6, Lines 31-44*);
- (c) Receiving a request for a portion of the speech files converted in step (b) (*Col. 5, Lines 19-46*);
- (d) Retrieving the requested portion from the stored converted speech files and transmitting to the information appliance the portion of the speech files requested in step (c) (*Col. 5, Lines 31-46*);
- (e) Receiving and presenting the speech files transmitted in step (d) through audio speakers (*Col. 5, Lines 31-46*).

Van Kommer further teaches steps for navigating through and selecting synthesized voice messages corresponding to various weather reports in response to voice message system questions (prompts) (*Col. 6, Lines 8-30*).

Although Van Kommer does teach a means for navigating through synthesized voice messages in response to audio prompts, as is required by the presently claimed invention, Van Kommer does not teach that the voice messages synthesized at a server can be stored at a user device. Guedalia, however, discloses such a voice message storage means (*text-to-speech conversion at a server, Col. 5, Lines 6-12; and saving voice messages at a user system, Col. 6, Lines 5-27*). Guedalia also discloses accessing voice messages over the Internet, which would inherently require the use of some type of modem device (*Fig. 1*).

Van Kommer and Guedalia are analogous art because they are from a similar field of endeavor in text-to-speech conversion. Thus, it would have been obvious to a person of ordinary

skill in the art, at the time of invention, to modify the teachings of Van Kommer with the voice message storage means taught by Guedalia in order to provide the user with the ability to store messages for future access without a connection to the Internet (*Guedalia, Col. 6, Lines 5-27; and Col. 1, Lines 39-41*).

With respect to **Claim 2**, Van Kommer recites:

Receiving and presenting speech files of one of: electronic programming guide information, weather information and news information (*weather forecasts, Col. 5, Lines 11-46*).

With respect to **Claim 6**, Van Kommer discloses:

Receiving a selection of one of multiple voice personalities and converting the text files into speech files using the selected voice personality (*Col. 7, Lines 16-27*).

4. **Claims 16 and 21-22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Kommer (*U.S. Patent: 6,678,659*) in view of Guedalia (*U.S. Patent: 6,707,891*), and further in view of Hong et al (*U.S. Patent: 5,737,030*).

With respect to **Claims 16**, Van Kommer in view of Guedalia teaches the text-to-speech conversion, storing, and distributing method and system, as applied to claims 1 and 15.

Although Van Kommer teaches method use in a cable TV (CATV) network (*Col. 4, Lines 27-41*), Van Kommer does not specifically suggest text-to-speech conversion processing performed with EPG text files, however Hong teaches text-to-speech conversion using EPG text files (*providing an audio representation of program guide information, Col. 7, Lines 1-16*). Hong also recites:

Hong additionally shows the ability to display EPG text as per Fig. 5.

Van Kommer, Guedalia, and Hong are analogous art because they are from a similar field of endeavor in text-to-speech conversion. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Van Kommer in view of Guedalia with the steps of receiving EPG-related processing taught by Hong in order to provide an illiterate or vision impaired individual with program specific audio information (*Hong, Col. 2, Lines 40-43*).

With respect to **Claim 21**, Van Kommer further discloses the ability to synthesize a male or female voice personality (*Col. 7, Lines 16-27*).

With respect to **Claim 22**, Van Kommer teaches the audio prompts for selecting a speech file, as applied to Claim 1, while Hong recites synthesized speech used for selecting a television program (prompts) and corresponding text on a television display, as applied to Claim 16.

5. **Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Kommer (*U.S. Patent: 6,678,659*) in view of Guedalia (*U.S. Patent: 6,707,891*), and further in view of Oh (*U.S. Patent: 6,141,642*).

With respect to **Claims 5**, Van Kommer in view of Guedalia teaches the text-to-speech conversion, storing, and distributing method, as applied to claim 1. Although Van Kommer further discloses performing the text-to-speech conversion for multiple languages (*Col. 7, Lines 28-48*), the use of separate synthesizers is not specifically suggested, however Oh shows:

Converting the text files into speech files using a first text-to-speech (TTS) synthesizer and a second TTS synthesizer, whereby the first TTS synthesizer and the second TTS synthesizer use different languages (*Fig. 2, Elements 212 and 214*).

Van Kommer, Guedalia, and Oh are analogous art because they are from a similar field of endeavor in speech synthesis. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Van Kommer in view of Guedalia with the use of multiple TTS synthesizers corresponding to different language as taught by Oh in order to provide text-to-speech synthesis for text that appears in multiple languages (*Oh, Col. 1, Lines 49-52*).

6. **Claim 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Kommer (*U.S. Patent: 6,678,659*) in view of Guedalia (*U.S. Patent: 6,707,891*), and further in view of Cannon et al (*U.S. Patent: 6,510,209*).

With respect to **Claim 9**, Van Kommer in view of Guedalia teaches the text-to-speech conversion, storing, and distributing method, as applied to claim 1. Van Kommer in view of Guedalia does not teach presenting set-up configuration prompts to a user and implementing a predetermined input time period after issuing such a prompt, however Cannon discloses:

(f) Presenting set-up configurations sequentially through the audio speaker (*Fig. 4, Element 412*);

(g) Pausing the audio presented in step (f) between each set-up configuration (*waiting a predetermined time period for an input command, Col. 6, Lines 4-15*); and

(h) Waiting a predetermined time period during each pause to receive an input command
(waiting a predetermined time period for an input command, Col. 6, Lines 4-15).

Van Kommer, Guedalia, and Cannon are analogous art because they are from a similar field of endeavor in speech processing networks. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Van Kommer in view of Guedalia with the use of set-up configuration prompts and a predetermined time period for inputting a configuration command in order to allow a user to conveniently configure a device without from a remote location (*Cannon, Col. 1, Line 66- Col. 2, Line 2*) while only accepting commands for a predetermined time period to prevent an unintended input from being improperly recognized as a command.

7. **Claim 10** is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Kommer (*U.S. Patent: 6,678,659*) in view of Guedalia (*U.S. Patent: 6,707,891*), and further in view of Stephens (*U.S. Patent: 6,557,026*).

Van Kommer in view of Guedalia teaches the text-to-speech conversion, storing, and distributing method, as applied to claim 1. Van Kommer in view of Guedalia does not specifically suggest periodically receiving and storing speech files, however Stephens recites a system and method that allows a user to periodically receive and store news in audio format (*Col. 9, Line 49- Col. 10, Line 17*).

Van Kommer, Guedalia, and Stephens are analogous art because they are from a similar field of endeavor in text-to-speech conversion. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Van Kommer in view

of Guedalia with the means for periodically receiving recent news stories in an audio format as taught by Stephens in order to provide a means for automatically checking for and acquiring new news stories (*Stephens, Col. 9, Line 49- Col. 10, Line 4*).

8. **Claim 20** is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Kommer (*U.S. Patent: 6,678,659*) in view of Guedalia (*U.S. Patent: 6,707,891*), in view of Hong et al (*U.S. Patent: 5,737,030*), and further in view of Oh (*U.S. Patent: 6,141,642*).

With respect to **Claim 20**, Van Kommer in view of Guedalia and further in view of Hong teaches the text-to-speech conversion, storing, and distributing system, as applied to claim 16. Although Van Kommer further discloses performing the text-to-speech conversion for multiple languages (Col. 7, Lines 28-48), the use of separate synthesizers is not specifically suggested, however Oh shows:

Converting the text files into speech files using a first text-to-speech (TTS) synthesizer and a second TTS synthesizer, whereby the first TTS synthesizer and the second TTS synthesizer use different languages (*Fig. 2, Elements 212 and 214*).

Van Kommer, Guedalia, Hong, and Oh are analogous art because they are from a similar field of endeavor in speech synthesis. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Van Kommer in view of Guedalia, and further in view of Hong with the use of multiple TTS synthesizers corresponding to different language as taught by Oh in order to provide text-to-speech synthesis for text that appears in multiple languages (*Oh, Col. 1, Lines 49-52*).

Allowable Subject Matter

9. **Claims 3-4, 17-19, and 24** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter:

With respect to **Claims 3 and 17**, the prior art of record fails to explicitly teach or fairly suggest, either alone or in combination, a method or system for presenting synthesized speech corresponding to electronic program guide (EPG) text, wherein a server converts an EPG text into speech, stores the speech files, receives a request for EPG text, transmits the EPG text, and further transmits the speech files corresponding to EPG text based on a cursor location on an EPG grid in combination with the subject matter of claim 1 and 15, respectively, including the step for navigating through stored speech files in response to aural prompts and wherein speech files are downloaded and stored at an information appliance.

Claims 4, 18-19, and 24 further limit a claim containing allowable subject matter, and thus, also contain allowable subject matter.

11. **Claims 11-14 and 23** are allowable over the prior art of record.

12. The following is an examiner's statement of reasons for allowance:

With respect to **Claim 11**, the prior art of record fails to explicitly teach or fairly suggest, either alone or in combination, a method for presenting synthesized speech corresponding to electronic program guide (EPG) text, wherein a server converts an EPG text into speech, stores the speech files, receives a request for EPG text, transmits the EPG text, and further transmits the speech files corresponding to EPG text based on a cursor location on an EPG grid in combination with the step for navigating through stored speech files in response to aural prompts and wherein speech files are downloaded and stored at a television set top box (STB).

Claims 12-14 and 23 further limit an allowable independent claim, and thus, are also allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Ladd (*U.S. Patent Publication: 2003/0078989*)- teaches a system that performs text-to-speech processing on map directions and sends the speech file to a user's voice mail system or corresponding text file to a pager.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Wozniak whose telephone number is (571) 272-7632. The examiner can normally be reached on M-Th, 7:30-5:00, F, 7:30-4, Off Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached at (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James S. Wozniak
4/6/2006



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